THE COURTS.

THE CORDES-DANN HOMICIDE.

Testimony for the Prosecution-Details of the Tragedy-Probable Completion of the Trial To-Day.

BREACH OF MARRIAGE.

Suit Against a Lawyer--- Verdict of \$20,000 Bamages ... A Singular Story.

THE BEACH-MYERS SUIT.

Application to Vacate the Order of Arrest of Myers-The Application Denied.

STOKES AGAIN

Purther Delays Denied and Hurrying Up the Case-Motion for Stay of Proceedings To Be Argued on the 22d of April.

BUSINESS IN THE OTHER COURTS.

In the United States Circuit Court yesterday edge Benedict resumed the trial of criminal ases. Joseph D. King, James F. Clarke, William more and William Sutton were indicted and tried for smuggling brandy and other articles en board the British steamer Denmark. After the prosecution had closed, there being a variance be tween the proof and the allegations in the indictthe defendants, when the District Attorney entered a nolle prosegni, with the view of reindicting them. James Scofield was acquitted on a charge of smuggling. The Court adjourned till to-day.

The case of John H. Scholl, pension agent, who is harged with having charged more than the law allows for the collection of a pension for one Peter Alheim, was up before Commissioner Shields yes The evidence on both sides has closed, and the matter now rests for the decision of the Com-

In the Supreme Court General Term yesterday, Judges Ingraham and Davis upon the bench, the argument upon a motion for a new trial for Stokes was ordered to be peremptorily set down for a bearing on the 22d of next month. Stokes' coun sel asked for more time, but the Court was unvield

After completing the jury yesterday morning to try, in the Court of Oyer and Terminer, Charles des, indicted for the murder of John Dann, the trial was proceeded with without further delay When the Court adjourned the testimony for the prosecution had all been submitted. The defence will enter upon its testimony this morning and the expectation is that the trial will be concluded to-

In an inquest vesterday before Judge Sedowick of the Superior Court, a verdict of \$20,000 damages was given against A. B. Chalmers, a lawyer, for al. leged breach of promise of marriage. The story of the complainant, Miss Phoebe A. Lowere, which will be found in the report of the case elsewhere, makes up a narration of painfully thrilling interest.

in our law columns, is vainly endeavoring to get vacated the order of arrest granted against him spon the complaint of Mrs. Julia A. Beach, widow of Moses Y. Beach, the full particulars of which have been heretofore published in the HERALD. Mrs. Beach claims to have been swindled by Myers sat of some forty-five thousand dollars, which she is endeavoring to get back through recourse to the

THE CORDES-DANN HOMICIDE.

Opening of the Case and Testimony for the Prosecution-Particulars of the Tragedy as Given by Eye-Witnesses-Medical Treatment of the Deceased and Counsel.

The Court of Over and Terminer was again crowded yesterday morning. Judge Brady, with his usual promptitude, was punctually in his place, and so were Assistant District Attorneys Russell and Lyons, conducting the prosecution against Cordes; and so was the prisoner Cordes himself, and so were Cordes' counsel, Mr. William F. Howe and Abe H. Hummel, and so were the ten jurymen selected from the previous day's panel. It took but a little time to fill the two vacant chairs in the jury box, the parties proving themselves unexceptionable being Theodore Kandus and Joseph Bu

Mr. Russell opened the case on the part of the prosecution. He recited briefly but succinctly the particulars of the affray in which Dann received his death wounds. In a lager beer saloon in Duane street, he said, about eleven o'clock at night, Cordes and a man named Hauck got into an angry dispute about the relative military merits of the

Cordes and a man named Hauck got into an angry dispute about the relative military merits of the Bavarian and Prussian soldiers. In the course of the dispute Hauck called Cordes a vie name, and the latter attempted to assault Hauck with a large cheese knife. Dann grabbed Cordes by the arm to restrain him, and received the blow of the knife on the wrist, from the effects of which he died a few weeks after. It made no difference in the degree of criminality, Mr. Russell insisted, whether he died instantly or after months of lingering. If he died ultimately from the assault. It might be advanced for the deience that Cordes was under the influence of liquor at the time, but this was no excuse or palination. It is presumed by the law that a man intends the censequences of his act, and makes no distinction for voluntary intoxication. In conclusion he discussed the law of murder, and claimed that the evidence to be submitted by the prosecution would conclusively show that Cordes was gullty of the grave charge preferred against him.

TESTIMONY FOR THE PROSECUTION.

The first witness was Anton Muller, the keeper of the saloon No. 179 Duane street, where the affray occurred. He testified that on the 28th of October he saw Cordes, Dann and Eugene Hauck in his place; Dann was an old man; Cordes and Hauck got into a dispute about the Prussian and Bavarian soldiers. Hauck maintaining the Prussians could have defeated the French without any help from the Bavarians; he said Cordes didn't know anything about it, as he was no soldier; Cordes cailed him a viie name; Hauck said, "Dol"; call file lifal again, "and pushed him back, wifness could not say whether with his open hand or fist; Cordes repeated the phrase, and Hauck pushed him and he leil; Cordes then got a carvirg, knife from the eating room, and returning and to Hauck, 'Now i call you—, and will, on push me down again "Hauck, to push him away; just then Cordes struck with the knife, and the blow almost severed Dann's wrist, witness called to his barkeeper to knock down C

s elicited.

ugene Hauck, the next witness, testified subntially to the same story, but added that he was
that he pushed Cordes away with his open
id, and that Cordes sell owing to his being in-

sure that he pushed corussure that he pushed corusband, and that Cordes lell owing to his being
toxicated.
Charles Smidt testified to the same facts, so far
as he saw. He saw, however, much less than the
previous witnesses.
James Morris, a boarder in Müller's house, saw
the whole transaction, but his testimony varied
very little from Müller's. He was the man who
knocked Cordes down with a chair after the stab-

m Wolf told pretty much the same story, and

John Wolf told pretty much the same story, and John Wolf told pretty much the same story, and so did Valentine Domen.

The MEDICAL TESTIMONY.

Dr. George Rigel, the doctor who attended Dann, was the next witness. He testified that he was called to attend Dann directly succeeding his Injuries. He told in detail his treatment, and how, among other things, he put a plaster on the wound, which was not moved for a week.

"What was the cause of Dann's death?" Mr. Russell asked him, among other questions.

The Doctor has told you he attended him." in-

entrupted Mr. Howe, who could not resist the op-portunity thus offered of flinging off one of his customary enlivening lokes.
"I mean, Doctor," continued Mr. Russell, smiling at the loke, which he could not resist doing, but the loctor meantime preserving the imperturba-ble gravity of an owl, "what was the immediate cause of Dann's death?" died of pyemia or blood poisoning," and the Doctor.

"He died of pyamia or blood polsening," all swered the Doctor.

On his cress-examination the Doctor testified that the pyemia might have resulted from Dann's debility or his great age.

Br. Marsh, Deputy Coroner, was the concluding witness. He testified that, several days after the affair, he was called by Dr. Rigel to see the deceased; at that time he found pus in the muscles of the hand and arm up to near the elbow; he told Dr. Rigel that the hand and arm should be opened to get rid of the pus, and the Boctor asked him to perform the operation, which he did; he saw at once that it was necessary, to save the patient's life, to amputate the arm above the cibow, at which point symptoms of mortification had already shown themselves; to do this it was necessary to bring up the patient to a condition which would enable him to undergo with safety the operation. He called in point symptoms of mortification had already shown themselves; to do this it was necessary to bring up the patient to a condition which would enable him to undergo with safety the operation. He called in Dr. Wood, and the views of the latter coincided with his own. The patient, however, grew so debitated from the enects of the pyemia that on the 12th of December he died. On his cross-examination, during which Mr. Howe stated to him that he must speak out boldly and fearlessly, he conceded that, under proper treatment, the deceased, in his view, would still have been alive.

The above closed the evidence for the prosecution. Mr. Howe said that he deemed it unnecessary to make any formal opening, and particularly as it was late in the day. The Court therefore adjourned till this morning, when the defence will

A PROMISE OF MARRIAGE.

Verdict of \$20,000 for Alleged Breach of Promise of Marriage Against a Lawyer-A Singular Story, with a Deeply Impressive Moral.

Of all the strange revelations touching the curious undercurrent of some human lives made in our Courts there is rarely one presenting such singular features as were developed yesterday in a case submitted to the judicial arbitration of Judge Sedgwick, of the Superior Court. As will be seen only one side of the story is thus far given; but the conclusion at which the Judge arrived, after listen-

conclusion at which the Judge arrived, after listening to the recitai of facts as given, clearly indicates at least his implicit reliance in its credibility. It was nothing more nor less than a suit for damages brought, by Miss Phoebe A. Lowere against A. B. Chalmers, a lawyer, for alleged breach of promise of marriage.

A STRANGE STORY.

Miss Lowere, the lady in question, is about twenty-three years old, of prepossessing appearance. She was plainly but neatly dressed, and her manner of telling her story, so unassumingly and modestly and yet painfully was it given, was such as at once to excite the most heartfelt sympathies of all present. Her father—such was her story—in former years was in affluent circumstances, but reverses in business overtook him and he became poor and unable to stand up against the shock of adverse fortune and died. Succeeding his death her mother having, besides herself, another daughter and a son to support, opened a boarding house. This was in 1864. Among the boarders was Dr. Magin, present rector of St. Alban's church. The latter introduced a new boarder, Abraham B. Chalmers, a young lawyer. Mr. Chalmers speedily professed himself greatly enamored of her, and in course of time a marriage engagement was entered into between them. At length her mother died. He was absent at the time, but he wrote a letter to her to read to her mother on her death bed, telling her mother not to feel measy on her account, as he intended to marry her and she should never be without a protector. The engagement continued, and, taking advantage of it and her weakness, he seduced her. Meantime he had written letters to her, couched in the tenderest phraseology of love's passion. A change came over the spirit of his dreams, and one day he demanded these letters and she gave them to him, and he cast them into the grate where, like his love, they turned to ashes. But his was not the worst. Soon came the intelligence of his marriage to another. This was the final errors and she gave them to him, and he cast them

often told in our Courts.

Mr. D. J. Mitchell, of Syracuse, conducted the examination for Miss Lowere. He appeared for Mr. Torrence, her former counsel, having promised to do so, as the latter lay on his death bed. Mr. Ely appeared on behalf of Mr. Chaimers, but during the progress of the examination had not a word to say.

say.

"The Court directs a verdict for you, Miss Lowere, for \$20,000 damages," said Judge Sedgwick, in conclusion, and so ended this case, which, from the account given of it, certainly has as high a claim to be designated "a strange story" as Bulwer's far-famed fictitious narrative of this title.

THE BEACH-MYERS LITIGATION.

Application to Vacate the Order of Arrest Against Myers Denicd-More Complications in the Case.

The lengthy story published some six weeks ago in the HERALD, based upon the affidavit of Mrs. Moses Y. Beach, and reciting the particulars of certain business transactions between herself and public memory. It will be remembered that upon the complaint of Mrs. Beach an order of arrest was

the complaint of Mrs. Beach an order of arrest was granted against Myers. Motion was made before Judge Fancher, at Supreme Court, Chambers, to vacate this order of arrest.

Mr. Jordan, who appeared on behalf of Mr. Myers, urged that the motion should be granted, on the ground that Mr. Myers, or rather Dimock & Myers, were the trustees of Mrs. Beach, and that the \$32,000 in Missouri State bonds given them by her was a loan, and that they were entitled to dispose of the bonds and use the funds in their business. It was further alleged that security was given for the bonds.

Mr. W. H. Gallaher, in opposing the motion, stated that the \$32,000 in bonds was given only as security for the fidelity of her son, who was a minor, as clerk for Myers, and to save the expense of depositing them with the New York Saie Deposit Company; that she positively refused to make any agreement with Myers or his firm that did not contemplate and positively require the return

Company; that she positively refused to make any agreement with Myers or his firm that did not contemplate and positively require the return of the identical bonds, the numbers of which she had carefully taken before giving them up; that the agreement was to return them at the end of a year; that at first there were given her 1,500 shares of the Atlantic Mail Steamship Company, as security which were worth about the amount of the bonds, and that these shares nearly doubled in value, when they took them away and gave her a note of the company for \$30,000, and finally induced her to part with this and accept 300 shares of the "State of New York Steamboat Company," which were worthless. He further stated that in addition to the \$32,000 in Missouri State bonds lett her in trust for her son, they obtained from her some \$20,000 of her own money of which only some \$6,000 has been since returned.

After a further lengthy argument on both sides Judge Fancher decided to refuse the application, and denied the motion.

THE STOKES CASE.

Unavailing Subterfuges of Delay-Argument on the Motion for a New Trial Set Down Peremptorily for the 22d of

After an interregnum of quiet in the Stokes case for three weeks the matter has again been brought before the Courts, and public remembrance of the terrible tragedy which has given him such painful notoriety again revived. Directly after Judge Davis, of the Supreme Court, granted the stay of execution, the case was put on the Supreme Court, General Term calendar, to be reached in its order It was reached yesterday and the case called. District Attorney Phelps asked that it be set down for the middle of April.

Mr. Dos Passos, on behalf of Stokes, said that they could not be ready at so early a day. On account of the judgment record being incomplete, the printing had been delayed. The amount of printing required was very large, and would embrace some seventeen hundred pages of printed matter. notoriety again revived. Directly after Judge Da-

sudge Ingraham said that the failure to complete the judgment record was no excess for delay in the printing, which should have been commenced directly succeeding the stay of proceedings. He had understood that Judge Davis granted the stay on the express understanding that there should be no delay. He should, therefore, order the case to be set down peremptorily to be heard on the 22d of April. natter.
Judge Ingraham said that the failure to complete

BUSINESS IN THE OTHER COURTS.

UNITED STATES CIRCUIT COURT,

Criminal Trials. Judge Benedict sat yesterday in the United States Circuit Court and proceeded with the trial of criminal cases.

dicted for embezzling money from the Sub-Treasury in this city, ex-Mayor Hall appeared as counsel for the defendant and withdrew the motion to quash the indictment. Mr. Pardy, United States Assistant District Attorney, elected to try the defendant on a particular charge arising under the indict-ment, and the case was set down for the 27th inst. Mr. R. S. Newcombe moved to quash the indict-

ment against John Warshing and Sigmund Wars ing, who have been indicted for acts of alleged fraudulent bankruptcy. Mr. Newcombe held that the indictment was not specific, and that it charged offences against the defendants without alleging

either time or place.

Mr. Purdy, on behalf of the government, said that he had not had time to consider the matter fully, but he would submit a brief containing his views of the case to the Court, and furnish coun-

views of the case to the Court, and farnish counsel for defendants with a copy.

This suggestion was assented to, and the matter went over for the present.

John Moon, a superintendent in the box department of the Post Office, has been indicted for embezzling a letter deposited in the mail, containing \$2. When the case was called yesterday Moon's counsel remarked to the Court It was charged counsel remarked to the Court it was charged that his chent was caught in the act of opening the letter; but Moon's statement was that the letter was broken and mulliated, and that he was examining it in the course of his duty for the purpose of properly securing it. He was indicted for three other transactions said to have occurred some time before, and these were never at all called to his attention at the time he was arrested. Counsel held that different felonies could not be included in the same indictment, and urged that the Disrict Atorney should elect upon which of the charges he torney should elect upon Mr. Purdy having briefly replied.

Judge Benedict decided that the District Attor-

ney thust elect upon what particular charge he should try the accused.

Trial for Smuggling. Joseph D. King, James F. Clarke, William Rushmore and Wilham Sutton were put upon their trial upon an indictment charging them with having smuggled into this port, on board the English steamer Denmark, on which they had been quar-

steamer Denmark, on which they had been quartermasters, a quantity of brandy, meerschaum pipes and other articles.

Mr. A. H. Purdy and Mr. Denike prosecuted on behalf of the government, and Mr. B. F. Russell desended the prisoners.

Evidence was given to show that the alleged snuggled goods had been found in the berths occupied by the prisoners on board the Denmark. The desence was that the prisoners had bought the articles at liavre, in France, at a cheap rate, and that they had intended to use them in London and Liverpoot. The indictment on which the prisoners were accused having in the course of the trial turned out to be a mass of incensistencies, at variance with the proof, the Court was about to direct the jury to find a verdict of not guilty, when Mr. Purdy, with a view of reindicting the prisoners, moved that a note prosequi be entered.

This suggestion was agreed to by the Court.

An Acquittal.

James Scofield was then put upon trial for smuggling some small articles into this port. The jury acquitted him. The Court adjourned till this morning.

SUPREME COURT-SPECIAL TERM. The Special Partnership Business of James H. Ingersolt. Before Judge Muller.

The tediously protracted litigation in the case of Theodore P. Austin and James H. Ingersoll vs. Eugene A. Heath came up yesterday for a further hearing in this Court. It is the old suit, brought for the purpose of dissolving the partnership between these parties. The plaintiffs, as they allege, put \$100,000, as silent partners, into the partnership—the name of the arm being Eugene A. Heath & Co., the name of the arm being sugene A. Heath & Co., and the business the manufacturing of house furnishing goods, &c., by the so-called Heath & Smith Manufacturing Company, of Connecticut. It is further alleged that they were drawn into partnership through traudulent representations as to the profits of the business and that there was a failure in carrying out the copartnership agreement. After hearing the argument of counsel the Court took the papers, reserving its decision.

SUPPEME COURT-CHAMPERS. Memento of the Late County Auditor Before Judge Fancher.

A motion was yesterday made on behalf of a Mr. Brady, before Mr. Justice Pancher, in Supreme Court, Chambers, for a mandamus to the Comptroller to pay a bill for \$250 for engrossing certain landatory resolutions ordered by the Board of Sulandatory resolutions ordered by the Board of Su-pervisors upon the death of James Watson, former County Auditor. This charge was once passed by the Board of Audit and Apportionment, but the Board rescinded its action. The relator claimed that it had no power to rescind any of its actions. Mr. Strahan, who appeared for the city, claimed that it mattered little whether they rescinded the resolution or not, as it was originally a nullity, since this was no proper claim against the county, and the Board had nothing to do except with claims against the county. The Court reserved its decision.

Ferguson et al. vs. Ferguson et al.-Petition granted on the execution by the committee of a ond in the penalty of \$20,000, with surety as pro-

Franciska Koerber vs. Joseph Krobeer.—Order of

Franciska Koerber vs. Joseph Krobeer,—Order of reference for further report granted.

Laura Peek vs. William Peek.—Reference granted to take proof and report, &c.

Germania Life Insurance Company vs. Hayes et al.—Reference ordered to compute, &c.

Hooper vs. Nichols et al.—Report and sale confirmed and the exceptions thereto are overruled. The Special Term at Chambers is the proper place to move for confirmation of such a report.

By Judge Harden.

C. Goodyear vs. W. H. Goodyear.—Order settled.

SUPERIOR COURT-SPECIAL TERM.

Decisions. By Judge Van Vorst.

Patterson vs. Slittann.-Order granted.

Hoffman vs. Gale .- Motion for receiver granted. Nickels, administrator, vs. Darrell et el.-Order

granted.

Kain vs. Hayes.—Defendant's substitute for plaintiff's proposed issues allowed. The pleadings sufficiently indicate the issues to be tried.

Harrigan vs. Harrigan.—Order for alimony and counsel fee. Schneider vs. Foulke.—Order granted. Merzbach vs. Guardian Life Insura

pany.—Same.
Allemania Fire Insurance Company vs. Prindle et al.—Same. et al.—Same.

By Judge Freedman.

The Ready Roofing Company vs. Eyle.—Order denying motion, with \$10 costs to defendant.

COURT OF COMMON PLEAS-SPECIAL TERM. The Universal Biographer After Jay Gould. Before Judge Loew.

Among the illustrious names making up the list of biographies published by Mr. Frederick Green, in his books of biography, "Men of Progress," "Men of Mark" and "Universal Biography," is that of Jay Gould. The great ex-President of Erie, it is alleged, has failed to pay up as agreed, and the alleged, has failed to pay up as agreed, and the result is a suit prought by Mr. Green to compel him to pay \$1,000 claimed to be due to him. The case came up in this Court yesterday on a motion on behalf of Gould to be allowed to put in an amended answer. Mr. Green states that Mr. Gould promised to take twenty copies of the book in which his sketch appeared at \$50 a copy. Mr. Gould \$4\foxup \$5\$ that he engaged to take only half this number, but that George Crouch having subsequently ordered ten additional copies on his account, he compromised the whole thing by paying \$600. An affidavit was submitted on behalf of Mr. Green denying any such compromise. Owing, however, to an informality in the affidavit, the case was adjourned over to allow the same to be corrected.

Vallette vs. Coe .- Motion granted.

MARINE COURT—PART I. Before Judge Gross.

John A. Lowery, Executor of John Lowery, vs. Thomas O. Bullock et al.-This was an action brought by the plaintiff, an executor, to recover rent of premises from the defendants. The occupation and amount due were not attempted to be disproved, the defendants relying upon the point that the lease having been made in the name of "John A. Lowery, Ex.," the letters appended to his name could be only taken as descriptive and the Court could not enlarge a sealed instrument so as to con-strue "John A. Lowery, Ex.," as meaning "execu-tor of John Lowery," and that the suit therefore was improperly entitled. The Court overruled the point taken and rendered judgment for plaintiff.

MARINE COURT-CHAMBERS. Decisions. By Judge Gross.

Grigg vs. Lane.-Motion for leave to file supplemental answer granted on payment of \$10 costs of

motion.

Todd vs. Pinckney,—Motion denied.
Burean vs. Ogden.—Motion that defendant pay over amount admitted to be due by answer granted, with \$10 costs. Order signed.
Besels vs. Waugh.—Demurrer overruled with liberty to defendant to answer within five days and on payment of costs. See memorandum with Clerk.

On payment of costs. See membranding what the Clerk.

Davis vs. Abraham.—Notwithstanding that the Court may be of opinion that the amended answer is false and interposed in bad faith, the decision of the Court of Appenis in Wayland vs. Tyson, 45 N. y., p. 281, is decisive—that a general denial cannot be stricken out as sham. The defendant is entitled to a trial of the issues raised. Motion denied without costs.

Hardy vs. Haffy,—Motion for new trial on newly.

covered evidence denied, with \$10 costs of mo

manded for Sentence.

Bacon vs. Seymour.—Motion denied, without osts.
Enholm vs. Fowler.—Motion for new trial on newly discovered evidence denied, with \$10 costs.

COURT OF CENERAL SESSIONS. A Female Shoplifter Convicted and Re-

Before Judge Sutherland. The main portion of the session of this court was ecupied yesterday in the trial of an indictment gainst Elizabeth Ormby, who was jointly indicted with Charlotte Newman for grand larceny. Mr. A. Oakey Hall defended the accused, which gave additional interest to the trial. The testimony for show complicity with the woman Newman (who is out on bail) was shightly circumstantial. It was proved that on the alternoon of the 21st of December the prisoner, the woman Newman and a third party entered the store of James McCreery & Co., Broadway, and asked to be shown to the shawl department, which Mr. Jackson, the superintendent, proceeded to do. Being rather suspicious of the customers, he quietly instructed a clerk to watch their movements. While at the shawl counters the clerk saw the woman who subsequently escaped put a shawl in her nocket and leave the store in company with Charlotte Newman. He communicated the fact to Mr. Jackson, who pursued the woman into the street and succeeded in bringing the woman Newman back to the store, and upon confronting her with the prisoner she (Ormby) admitted that she knew the women and came into the store with them. The evidence showed that Ormby was twenty feet away from the other women; that she remained in the store after the larceny and bought a cheap woollen shawl from the clerk. An inventory was taken by the proprietors of the store, and it was discovered that three India shawis, valued at \$100, were missed, but no positive evidence was given to show that the woman stole more than one shawl or that it was worth \$25.

Mr. Hail declined to put the defendant upon the stand, and in his ingenious address to the jury commented in severe terms upon the law which permitted an accused party to testify in his or her own behalf.

Assistant District Attorney Rollins made an able and apposite reply to the ex-Mayor's argument. the prosecution against the defendant tending to show complicity with the woman Newman (who

own behalf.

Assistant District Attorney Rollins made an able
and apposite reply to the ex-Mayor's argument.

Judge Sutherland charged the jury upon the law
as applicable to the facts and circumstances proven.

After an hour's deliberation the jury returned,
with a verdict of guilty. As the counsel was absent
His Bonor remanded the prisoner for sentence. A Man Sent to the State Prison for Stab

bing His Wife. James O'Donnell pleaded guilty to an assault, with intent to do bodily harm. He was charged with stabbing Mary O'Donnell, his wife, on the 6th inst., in the back with a jack knife. His Honor sentenced the prisoner to the State Prison for two years.

Youthful Burglars. Michael Farrell and Frank E. Darrell pleaded guilty to attempting to break into the grocery store of John Sims, 300 Seventh avenue, on the 1st of February. The police officer caught them before they succeeded in breaking the panel and found two large "pimmies" in the vicinity of the store. They were each sent to the State Prison for two

David Flynn pleaded guilty to an attempt at burglary in the third degree, the indictment charging that on the 27th of February he effected a lelonious entry into the store room of Gustav Solomon, 394 Water street, and stole sixty pounds of tobacco, worth \$48. Flynn was sent to the Pententiary for one year. A Dishonest Domestic.

Dora Arent, a domestic in the employ of Marcus I. Waldheim, No. 146 West Forty-third street, who stole a pair of solitaire diamond earrings, worth \$300, pleaded guilty to an attempt at grand lar-ceny. She was remanded for sentence. An Acquittal.

Jane Kirby, a genteel looking girl, who, a few months since, came from Dublin, and was engaged by Mrs. Devereaux as a nurse, was charged with by Mrs. Devereaux as a nurse, was charged with stealing, on the 20th of February, a veil, valued at twenty-five cents. The girl explained that she wore it upon a snowy night when visiting her mother's house, and left it there by mistake. A young man was called for the defence to prove that Mr. Devereaux stated to him that he did not believe the girl was guilty of stealing the veil and other articles which his wife missed. The witness also said that he was engaged to Miss Kirby, and would marry her, notwithstanding the charge preferred against her. The jury rendered a verdict of not guilty without leaving their seats.

ESSEX MARKET POLICE COURT.

"One More Unfortunate"-A Lady Robbed of \$805 in a Street Car-How the Operation Was Performed and How the Thieves Escaped. "Now, by St. Paul, the work goes bravely on,"

and thus far the thieves "sail before the wind." Another person, a lady this time, has been fleeced to the extent of a little more than eight hundred dollars by the street car gang of thieves, who, of course, escape, while the valiant police gobble up a couple of schoolboys, who are now held for the offence. The particulars of the little occurrence are as follows:-Mrs. Elizabeth Mitten, of No. 7 freat Jones street, got into a Bleecker street car last Saturday night and went up as far as the corner of Broome and Crosby streets, where she disembarked and started through Broome street towards the Bowery. She had gone about a block and a half when she discovered that she had lost a bag which she had been carrying tied a block and a half when her discovered that she had been carrying tied around her waist under her clothes, and which contained \$760 in money and a check for \$45, besides some little articles of no particular value. She felt confident that the bag had been removed by thieves, for it was so adjusted that it was impossible for it to have become loosened and thus drop to the ground without being cut or untied. Walking hashiy back to where she had left the car but a minute or two before did not avail anything, and after vainly searching the sidewalk, the street and the gutters for a long time, she was compelled to go home a sadder and somewhat poorer woman than when she entered that street car. Wednesday afternoon a small boy pulled the bell knob at Mrs. Mitten's residence and nanded the servant a note, which inquired as to whether or not the lady had lost a small bag containing a check for \$45, and, ff-80, would she give a reward for the return of the same. Mrs. Mitten sent her niece with the boy, who said the note had been given him by two other boys, to whom he was to take an answer and who were found, and the young lady obtained from them the check and bag, also a small memorandum book, which had been in the bag. The lads relused to give their names, but said in answer to the lady's meurices that they had found the articles in Prince street, about half-past eight on Saturday night last, and that there was not a cent of money in the bag at the time.

The lady left the boys, and on returning home found they had written their names in the memorandum book. She now reported the case to the police of the Tenth precinct, who soon succeeded in arresting the lads, and yesterday morning they were arrangened before Justice Scott at Essex Market, who committed them, though unwillingly, for trial.

JEFFERSON MARKET POLICE COURT. Felonious Assault.

On Wednesday evening Owen Dillon, it is alleged, while riding on the front platform of a car on Avenue C Railroad, struck Philip Carlston with his fist, knocking him off the car and so injuring him that he was taken to Bellevue Hospital. Dillon was arraigned before Justice Cox at Jefferson Market yesterday, and remanded to await the result of Carlston's injuries. Robbery.

John Hames, alias Cannon, of 171 Greene street, who was arrested on Wednesday evening for stealing the watch and money of William B. Greene, of 278 Variek street, was brought up before Justice Cox yesterday and committed, in de-fault of \$1,000 bail, to answer.

HARLEM POLICE COURT. Robbing the City.

John G. Cusick and James Donohue, two junk dealers residing at 439 West Thirty-ninth street, were early yesterday morning caught by Officer Stahl, of the Thirty-first precinct, in the act of stealing a large quantity of six-inch iron water pipe, the property of the city, lying in Tenth ave-nue, between Seventy-second and Seventy-third streets. The prisoners were committed for trial by Judge McQuade, at the Harlem Police Court, in default of \$1,000 bail each.

COURT OF APPEALS CALENDAR.

ALBANY, N. Y., March 13, 1873.

The following is the Commission of Appeals day calendar for March 14:—Nos. 76, 77, 29, 31, 79, 80, 83, 83, 88, 88, 89, 90, 92, 15.

The Court adjourned until ten A. M. to-morrow.

BROOKLYN COURTS.

CITY COURT-TRIAL TERM.

The Dogs That Got Their Master in a Lawsuit.

Before Judge McCue, One morning in April last Patrick McGoey, while going to his work, had occasion to pass Cammeyer's

Union Base Ball ground, on Rutledge street, and while so doing two of Cammeyer's dogs, a big black one and a little yellow one, ran out and bit him severely. He was also knocked down by the brutes and rendered temporarily insensible. In a suit which he subsequently brought against the owner for \$5,000 damages, the jury gave him \$800. The Court, however, granted a motion for a new trial, on the ground that the damages awarded were excessive, and the case was tried again yesterday. The jury this time gave McGoey \$140.

CITY COURT-SPECIAL TERM. Edwin H. Sawyer's Divorce Suit.

Before Judge Thompson. Edwin H. Sawyer, a veterinary surgeon, and Elizabeth J. Sawyer, a circus rider, lived together as man and wife for eighteen years, though never as man and whe for eighteen years, though flever actually married, and had two children. The wo-man brought suit against him last Summer for an absolute divorce, on the ground of adultery, alleg-ing that he left her and went to live with another woman, and the case was sent to a referee. Yes-terday the referee reported in favor of allowing the divorce and awarding the custody of the children to the plaintiff.

to the plaintiff.

The report was confirmed. Mrs. Sawyer is also allowed \$30 per month alimony. It will be seen here that although there was no marriage ceremony, the Court held that the fact of the couple living together so long was sufficient to constitute them man and wife.

COURT OF SESSIONS.

A Husband's Determined Attempt to Kill His Wife-Stabbed Seven Times.

Before Judge Moore and Associate Justices. James A. Eldert was placed on trial yesterday afternoon for attempting to kill his wife, Elizabeth on the night of the 21st of December last. The prisoner is a rough-looking fellow, about thirty years of age, and his wife, a mild-mannered woman, is but a few years younger. The testimony for the people showed that Mrs. Eldert was compelled to leave her husband in consequence of his intemperate habits, and went to work in a restaurant on Futton street. On the night in question, at about eieven o'clock, while she was on her way to her home in Green lane and going through Prespect street, her husband followed her and endcavored to persuade her to live with him again. She declined to doso, and requested him to give her the tickets for some property which he had pawned before their separation. He immediately produced the tickets, and as she was about to reach for them he drew a butcher's knile and plunged it into her left breast. The poor woman tell bleeding to the pavement, and while she was lying prostrate he stabbed her again and again.

A butcher named Jacob Grim, who witnessed the assault, ran up for the purpose of rescuing the woman, when Eldert desisted from his bloody on the night of the 21st of December last. The

again and again.

A butcher named Jacob Grim, who witnessed the assault, ran up for the purpose of rescuing the woman, when Eldert desisted from his bloody work and threatened to stab him if he interfered further. Several other parties were attracted to the place, and endeavored to capture Eldert, but he remained bending over the bleeding form of his now insensible wife, and kept them off by threatening to knife them if they came near him. Finally Officer Dawson, of the York street police station, arrived and found the infuriated husband and his victim in the gutter, the former still retaining his grasp on the woman's person. Other officers arrived and the would-be murderer was taken into custody. He was now remarkably cool and actually assisted in removing his wife to the police station.

An examination of the woman's injuries showed that she had received no less than seven wounds, which were in different parts of the body, and in one instance the blade had penetrated one of her lungs. She was confined to the house for seven weeks and has not yet fully recovered. The surgeon who attended her expressed surprise that she did not die from the effects of her injuries.

The defence was temporary insanity.

The jury convicted the prisoner of assault with intent to kill, and he was remanded until Tuesday next for sentence.

THE WINE TRADE.

Clarifying Wine Adjudged Rectifying-Highly Important Decision of the Commissioner of Internal Revenue-The Vexed Wine Question Settled at Last-To Clarify Wine a License is Required. For several months past the wine importers and lealers have been in a state of considerable excitement on account of an order issued by the Commisnoner of Internal Revenue instructing his subordinates to assess and collect a tax from dealers in wines who use any fictitions means of clarifying the same. It was found that nearly all, if not all, were doing so, and in consequence the usual levy was made by the officers. The trade appealed to neadquarters, pending which the collection of the assessment was suspended. A prominent importer addressed the following letter to Commissioner of Internal Revenue Douglass, asking information on

NEW YORK, March 1, 1873.
The Hon. George S. Boutwell, Secretary of the Tree Dark Sir.—The attention of the wine merchants of this elty having been drawn to the fact that there is some obstacle thrown in their way by the government in regard to the clarification of imported wines, and not knowing how far they can carry on their business in that direction, I have been requested to write to you for information in this connection, which, I trust, will be speedily furnished by you.

First—Are the importers of wine allowed to clarify same? ame?
Second—Are the importers of wine allowed to use any sleetinguis matter (not containing spirits) whatever, in the

glutinous matter (not containing spirits) whatever, in the process of clarification?

Third—Are the importers of wines allowed to place their wines in tank, in order that any impurities the said wines may contain shall settle to the bottom or said tinks, and the good wine to be drawn from the top into the original cases, leaving the impurities to be disposed of at leisure?
Fourth—Are importers of wines allowed to mix two
wines of a different kind together if the said wines were
manufactured at the same establishment?
Fight—Are the importers of wine allowed in any way
to clarify wines? If so, in what manner and subject
to what restrictions?

Sizth—Are the importers of wine allowed in any way to purity wines? It so, in what manner and subject to what restrictions? Seconth—Are the importers of wines allowed in any way to mix wines? If so, in what manner and subject to what restrictions?

Eighth—Are the importers of wine compelled, in any or all of the above-described transactions, to procure a rectifyer's license (the importer not to use spirits in any of the foregoing transactions, or any transactions horeinatter described)?

the foregoing transactions, or any transactions hereinatter described)?

Noth—If the importers of wine are compelled to procure a rectifier's license in order to clarify, purify or mix wines, what would be the cost per galion to be paid to the United States for permission to conduct a business of the foregoing nature, provided, in all cases, that the processes described above would increase the value of the goods, over value, as entered at the Custom House, and considering that the object to which they attain is simply to restore said wines to the original value, as per Custom House records, presuming said wines to have deteriorated in consequence of age and thereby having become unsalable?

in consequence of age and state of wines cannot conduct a businable? Teach—If the importers of wines cannot conduct a business of the foregoing nature will you be kind enough to inform them in what manner the government will allow them to remove the sectiment from said wines—the which having become worthies on account thereof—and if they (the importers) are allowed in any manner to improve the condition of damaged wines and under what restrictions?

In all the before described transactions the importer is supposed to have paid all the duties and charges thereon, the same as on wines that are bonded in a sound condition. I respectfully ask that your answer to this to as exhaustive as possible, in order that the matter may be set at rest until the laws and the Treasury regulations are altered. re attered.
Yesterday Supervisor Hawley received from the Commissioner the annexed letter, which not only explains itself, but puts a quietus to the supposed exemption by wine dealers from the imposed taxition:—

TREASURY DEPARTMENT.

OFFICE OF INTERNAL REVENCE,
WASHINGTON, March 11, 1873.

SIR—Enclosed herewith please find copy of a letter
from — addressed to the Hon the Secretary of the
Treasury and referred by him to this office, relative to
clarification of imported wines.

As he has been referred to you for instructions, the following is submitted for your information:—
The result obtained by any process of manipulating
wines is sufficient to determine whether such process
constitutes rectification under the law which defines a
rectifier to be any person who rectifies, purifies or refines
distalled spirits or wines, by any process other than by
original and continuous distillation.

It is evident, therefore, that, to clarify, purify or refine
imported wines by the use of alluthous matter, by drawing the same into lanks, or by any of the several prodesses described by Mr. ———, by which the re-all obtained is a purified of refined while, will constitute the
importer a rectifier.

In reply to the inquiry whether importers are allowed
to mix wines of different kinds, if manufactured at the
same establishment, or it they are allowed to mix wines
of officerent in kind, even if produced at the
same establishment, in they are allowed to mix wines
of order that it is rectification.

I reply to the eighten inquiry that each of the several
pound or spurious liquor, and is rectification.

I reply to the eighten inquiry that each of the several
processes of clarifying wines described in the enclosed
ietter and the mixing of wines of different kinds having
been decided to be rectification, the importer will be required to obtain a rectifier's license and pay the special
tax as such and, having done this, there will be no additional cost per galion to be paid to the United States, no
matter to what extent the value of the goods may be enhanced by the operation, provided such wines be not
halle under Section 48.

It is not seen how the office car indicate any method
by which the sedment or impurities may be removed
f

PROBABLE INFANTICIDE. A Dead Foundling at the Door of a Ten-

ement House.

Coroner Herrman was yesterday called to the Morgue to hold an inquest over the remains of a

Morgue to hold an inquest over the remains of a female child, apparently about two weeks old, which was found in the hallway of the boarding house 73 Third avenue by John Ilisley, one of the inmates. Sergeant McGiven, of the Seventeenth precinct, immediately made efforts to obtain information cencerning the parentage of the child, and by whom it had been abandoned, but without success, no one in the house seeming to know anything about the matter. The cause of the infant's death must be determined by a post-mortem examination, to be made by Deputy Coroner Joseph Cushman, M. D.

MUNICIPAL MATTERS.

BOARD OF ALDERMEN.

A List of Street Openings Required-The Sixth and Eighth Avenue Railroad Tracks-The Judicial District Courts-A Message from the Mayor-The Proba-

ble Passing of the Charter. The weekly meeting of the above Board was held yesterday, President Vance in the chair.

NEW STREETS OPENED. Alderman McCafferty moved the following:-Resolved, That the Commissioner of Public Works be and he is hereby requested to furnish this Board with a map or statement showing the several streets and avenues, or parts of streets and avenues, north of Fifty in the street, that have been declared open according to law or been each of the claw of the cl

JUDICIAL DISTRICT COURTS.

Alderman Cooper moved That the Law Committee be requested to return promptly the number of buildings used as district courts in the city, the terms of the tenancy of which terminate in May next.

Resolution adopted. SIXTH AND EIGHTH AVENUE RAILROAD TRACKS. The Committee on Railroads recommended the

adoption of the following resolution, which was

Resolved, That the Commissioner of Public Works be and he is hereby streeted to notify the Eighth and Sixth avenue railroad commanies, jointly and severally, to remove the tracks of which their cars now run on the west side of College place, between Chambers and Warren streets, and that the said companies use the track now laid in the middle of the street connecting the same with their main track north of Chambers and south of Warren streets on which to run their cars, and in the event of a neglect or a refusal on the part of the said sixth and Eighth Avenue Railroad Companies to remove and track, as above directed, for a period of thirty days after being so notified, then the said downward of the resolution approved by the Mayor December 21, 1852, which directe that "except they build a single track only through said streets, including College place, then the said Street Commissioner (now Commissioner of Public Works) be and he is hereby directed to have said streets restored to their former condition" at the expense of the city, and to sue for and recover from the said street restored to their former condition" at the expense of the city, and to sue for and recover from the said Street restored to their former condition and the supplies of the cover from the said Street streets of their former condition" at the expense of the city, and to sue for and recover from the said Street restored to their former condition of the work of restoration.

MESSAGE FROM THE MAYOR-WESTCHESTER ANNEXA-Tion.

The following communication has been received.

To THE HONDRESS OFFICE, NEW YORK, March 13, 1873. TO FINE HONDRESS THE COMMON COUNCIL OF THE OTT OF NEW YORK:—

I have to communicate to your honorable body that my attention has been called to an act now pending before the Assembly, being Assembly bill No. 138, providing for the annexation of certain towns in Westchester county to the city and county of New York. I am informed that the bill aloresaid is not the same as the bill heretofore presented to your honorable body, and referred to the Committee on Laws, but adds thereto an important provision submitting the question of annexation to the people of the towns in Westchester county, which are contemplated in the act, while it omits to provide for a like sufficient of the provision submitting the question of annexation the eight of the will be a subject of this bill invokes questions of vital importance to the interests of this city, the annexation which it contemplates should not be encouraged without the most mature consideration, and to this end the committee of the Assembly which has the matter in charge should be requested to take no action upon I mind your homorable bowleds to take no action upon I mind your homorable bowleds of our constitute of the committee. The subject is respectfully commenced to your immediate attention.

The communication was referred to the Committee on Law.

GENERAL ORDERS AND THE CHARTER.

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GENERAL ORDERS AND THE CHARTER.

An attempt was made to call up "general orders," when Alderman Monhemmer suggested the desirability of withholding the consideration of "standing orders" until the charter passed. The Board of Assistant Aldermen had already about fitty "general orders" of the Board of Aldermen releved to them on which they had taken no action and could not take any. Should the charter pass the city would have to go to great expense in advertising and in all the other routine preliminaries. It was useless, in his jadgment, to continue this fulle work by passing "orders" that could not be acted upon.

this fittle work by passing worders, that could not be acted upon.

Alderman Billings provoked some laughter by getting up and stating that he did not think the charter would pass. (Great laughter.) Well, at any rate, for a week or two. (Loader laughter.)

Alderman Koch—Alter that I move that this Board do adjourn. (Loud laughter.)

On a vote this resolution was passed and the Board adjourned.

BOARD OF AUDIT.

Allowance of Small Claims-The Extra Street Cleaning Claim of J. L. Brown. A meeting of the Board of Audit was held yesterday. The following business was transacted:-

The claim of Charles O. Stetson & Sons, amount of hotel bill for the jury in the Rosenzwig case, amounting to \$282, was audited, allowed and ordered to be paid.

The claim of the claim of the claim of the stern of dered to be paid.

The claim of William Kelvey, for historical papers furnished to the City Manual for 1870, amounting to \$318, was audited, allowed and ordered to be used.

amounting to \$318, was audited, allowed and ordered to be paid.

THE EXTEA STREET-CLEANING CLAIM.

The Comprison reported that the counsel on
both sides, in reference to the extra street-cleaning claim, desired an extension of time, in order
that additional testimony in the case might be
taken, and he therefore moved that the consideration of that claim be adjourned to Tuesday next.
Agreed to.

The Board then adjourned.

THE DOCK COMMISSIONERS. At the meeting of the Dock Commissioners held yesterday the Auditing Committee presented a statement showing the names of lessees of prostatement showing the names of lessees of property subject to the payment of dock and ship rent. It appears thereby that the amount of rent accrued for eighteen months, from May 1, 1870, to November 1, 1871, was \$639,164; amount accrued from November 1, 1871, to November 1, 1872, was \$436,178; collected and deposited with the Chamberlain from May 20, 1870, to January 31, 1873, \$1,088,504; amount outstanding in suit and otherwise, \$89,916. The amount outstanding has been reduced since May, 1870, \$22,160. Other business transacted was unimportant.

ST. PATRICK'S DAY. Preparations on States Island for the

Celebration. The Convention of Irish societies of Richmond county met at Duffy's Hotel, Tompkinsville, yesterday and completed their arrangements for the cele bration of St. Patrick's Day (Monday next).

The President, Colonel Frank McElroy, was appointed Grand Marshal and Captain John G. Vaughan Deputy Grand Marshal; Coroner James Dempsey, Thomas A. McSorley, Charles Morgan, P. T. Kiernan, James Mulligan and Thomas Heaty,

The various societies are to meet in Port Richmond Park at eleven o'clock A. M., and march in the following order:—

he following order:—

Guide,

Irish Dragoons, mounted.
Flatoon of Folice
Deputy urand Marshai and Aids.
President and Orator of the day, in carriage.
Band.

J. E. Manning Guards.
Band.
St. Patrick's Society of Richmond.
St. Patrick's Society of Rossville.
St. Patrick's Society of Graniteville.
Band.
St. Peter's Society of Oraniteville.
Band.
St. Patrick's Society of Oraniteville.
Band.
St. Mary's Society of Clitton.
Band.
Ancient Order of Hibernians.
Knights of St. Patrick, in carriages.
Chizens, in carriages.
The line of march will be from Port Richmond to Broadway, to Richmond terrace, Columbia street,

to Broadway, to Richmond terrace, Columbia street, Castleton avenue to Broadway, West New Brighton, Jersey street, Bay street, Pennsylvania avenue to Washington pirk, Stapleton, where an Brighton, Jersey street, Bay street, Pennsylvania avenue to Washington pirk, Stapleton, where an oration will be deutered by Captain Daniel R. Lyddy, of New York, and addresses by other prominent speakers.

Besides the many "hopa" of the various societies during the evening will be the banquet of the Knights of St. Patrick, at Adams Hotel, Tompkinsylle.

THE NINETEENTH STREET MYSTERY.

A reporter of the HERALD called yesterday upon Rev. Dr. Lyons, the Jewish rabbi, whose house, at No. 7 West Nineteenth street, a morning paper asserted, was entered by burglars on the evening of Wednesday. The reverend gentleman expressed much sorrow at the sensational publication, and stated that the only ground for it is as follows:stated that the only ground for it is as follows:—Young Mr. Lyons, who had a young gentleman dining with him, about nine o'clock heard the ring of the burglar alarm, and, taking a candle, proceeded to the garret to investigate the cause on the floor of this garret is a skylight, immediately over the hall. While groping about he incautiously stepped upon this skylight, which, giving way, let him through, and he lell several leet upon the stairs below, and broke a thigh bone, from which he is now sinfering. Dr. Lyons positively declares that no pistol was exploded, and says that they are unawate of the cause of the "going off" of the alarm. If the neighbors saw any one running away from the house he says it must have been young Mr. Lyons' guest hurrying in search of a physician.

ALLEGED HEAVY FORGERIES.

BUFFALO, N. Y., March 13, 1873. Colonel Theodore Tyrer, a well-known citizen, heretofore bearing the most unblemished reputation, and a member of the firm of Root & Tyrer, druggists, has been arrested and committed to jail, charged with forgeries to the amount of \$30,000. Several of the leading banks here have been victimized. Tyrer declares his innocence.